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DEPARTMENT OF ENERGY
FEDERAL ENERGY REGULATORY COMMISSION

Idaho Power Company

Project No. 1971-079

NOTICE OF PETITION FOR DECLARATORY ORDER

Take notice that on November 23, 2016, Idaho Power Company (Idaho Power), licensee of the Hells Canyon Project No. 1971, filed a petition for a declaratory order (petition) pursuant to Rule 207(a)(2) of the Federal Energy Regulatory Commission's Rules of Practice and Procedure, 18 CFR 385.207(a)(2). Idaho Power requests that the Commission declare that, under the Supremacy Clause of the U.S. Constitution, Part I of the Federal Power Act (FPA)¹ preempts the fish passage provisions contained in Oregon Revised Statute 509.585 with respect to the Hells Canyon Project, all as more fully explained in its petition.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure, 18 CFR 385.211, 385.214. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Petitioner.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the "eLibrary" link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an "eSubscription" link on the web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5:00 pm Eastern Time on December 30, 2016.

DATED: November 30, 2016

¹ 16 USC 791a-823d (2016).

Kimberly D. Bose,
Secretary.

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